

December 30, 2013

Governor Mark Dayton

Sen. Dan Sparks, Chair
Jobs, Agriculture and Rural Development Committee

Sen. David Tomassoni, Chair
Environment, Economic Development and Agriculture Division

Sen. Gary Dahms, Ranking Minority Member
Jobs, Agriculture and Rural Development Committee

Rep. Jean Wagenius, Chair
Environment, Natural Resources and Agriculture Finance Committee

Rep. Jeanne Poppe, Chair
Agricultural Policy Committee

Rep. Rod Hamilton, Republican Lead
Agricultural Policy Committee

Mr. Greg Hubinger, Director
Legislative Coordinating Commission

Ms. Michele Timmons, Revisor,
Office of the Revisor of Statutes

**Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules as Required by
Minnesota Statutes, section 14.05, subdivision 5**

Dear Governor Dayton, Senators, Representatives, Director Hubinger and Revisor Timmons:

Minnesota Statutes, section 14.05, subd. 5, directs the Minnesota Department of Agriculture (MDA) to report to you by December 1 of each year on whether any of its rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules.

MDA has reviewed its rules and found that the following rules are or have become obsolete, unnecessary, or duplicative. Our timetable for completing these rulemakings is by the end of 2015 through application of *Minnesota Statutes* 14.47 Subd. 6(b) or through the process outlined in *Minnesota Statutes*, 14.3895, whichever is appropriate.

1. 1562.0100 Subpart 2C states; "*Bond means an obligation acceptable to and running to the state, as obligee, for the purpose of indemnifying depositors of grain against the breach of a grain bank storage contract by a public or private grain warehouse operator licensed under Minnesota Statutes, Chapter 236.*" Chapter 236 has been repealed by the legislature and is

now covered under *Minnesota Statutes* 232. MDA plans to address this through the application of *Minnesota Statutes* 14.47 Subd. 6(b) because 1562.0100 C is no longer effective under its own terms.

2. 1562.0300 is obsolete and unnecessary because it provides a list of persons exempted from the grain buyer licensing requirements that is now covered by the definition of grain buyer in *Minnesota Statutes* 223.16 Subd. 5. MDA will address this rule change through use of the process provided by *Minnesota Statutes*, section 14.3895.

If you have any questions regarding this report, please contact Luis Rivera, MDA Administrative Rules Coordinator (651-201-6435 or luis.rivera@state.mn.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Boerboom", written in a cursive style.

Jim Boerboom
Deputy Commissioner

Subject: MDA Rules Report

From: "Fetherston, Andrea (MDA)" <Andrea.Fetherston@state.mn.us>

Date: 1/7/2014 12:51 PM

To: "Fetherston, Andrea (MDA)" <Andrea.Fetherston@state.mn.us>

Hello –

Please see the attached Rules Report from the Minnesota Department of Agriculture. Please let Luis Rivera know if you have any questions – he can be reached at luis.rivera@state.mn.us or (651) 201-6435.

Thank you!

Best,
Andrea

Andrea Fetherston

Minnesota Department of Agriculture

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— Attachments: —

MDA Obsolete Rules Report 2013.pdf

145 KB